

No

Amendment 318

Oct. 18
Referred to Committee

Military Affairs
Sec. A. Thoulon
Capt. De. y

Military
Affairs

Independent
military organizations

Nov 5, 18

Reported back with
Substitute Am. No 485

Thoulon
and Rea

and affs

Beerstecher

Constitution

Article —

Militia

Section —

Citizens of this State shall have the right to associate and form military organizations, other than militia, which organizations shall be independent. This shall however in no wise effect the right of the State to the services of the citizens in time of public danger.

Beentecher

319
No
Amendment 819

Taxation of
Solvent debts of
Capital stock
of Corporations
and Companies -
and of
traffic in liquors

Oct. 18
Reported to Committee
Revenue
on Taxation
Geo. A. Thompson
Asst. Secy

Jan 28
July 18 of 8
Reported back with
Substitute Am to 510
Thompson
Asst Secy

Bentley
Rev. Taxation

Constitution

Taxation —

Section —

Every solvent debt shall be taxed as personal property of the creditor and the amount thereof shall be deducted from the assessed valuation of the property of the debtor, provided however that in all taxation of solvent debts the debtor shall first pay the tax and shall then deduct the amount so paid as tax from the principal sum owing or from the interest due or to become due on said principal sum, provided further, that every contract or agreement whereby a debtor agrees to pay the taxes of the creditor upon a debt, is void

Bevstehun

Taxation

Shewers

Section -

Every corporation or joint stock company having certificates of capital stock issued shall be assessed and pay tax upon such stock at its true value. Such Corporation or Company shall first pay such tax, and the amount paid as tax shall be a demand in favor of such ^{corporation or} Company against such stock and the owners thereof, and shall be a lien on said stock and have priority over all other liens and demands, provided however that where such corporation or company own real estate or personal property subject to assessment and taxation under the laws of this State, and such property being actually assessed and taxed within this State, then the assessed valuation of such property shall be deducted from the assessed valuation of such capital stock, and the said capital stock taxed upon the basis of value after such deduction, provided further, that a failure to promptly pay such tax by such Corporation or Company shall work a forfeiture of this Corporative Charter.

Perpetual

Liquor traffic taxation

Section —

The business of manufacturing and selling intoxicating liquors of every name and nature shall be subject to legislative regulation, by general laws having effect throughout the State, but this shall not be construed as giving to any legislature the authority to enact prohibition laws. An annual tax of not less than two hundred dollars shall be imposed upon the traffic in intoxicating liquors, to be paid by every person or firm or corporation who shall carry on or be engaged in the business of selling or disposing of such liquors, otherwise than for medicinal, chemical, or mechanical purposes, for each place where such business is carried on by such person, firm or corporation. Said tax shall be paid into the treasury of the County, City, Village or Township, where such business is carried on, and appropriated as the legislature shall by general law provide. The sale or other

Book of
 the
 State

disposition of such liquors to minors, persons under guardianship, insane, and idiotic persons, paupers and common drunkards, is wholly prohibited. Every person who shall carry on or engage in the business or traffic taxed as aforesaid in this section, without having first paid the tax imposed, or otherwise violate any provision of this section shall be guilty of a misdemeanor, and, on conviction, be punished by fine or imprisonment, or both, as may be prescribed by law, and every sale until the tax is paid shall subject the party to such penalty; and all necessary laws shall be passed to enforce the provisions of this section.

~~Beers~~
Beers

Amended Amendment
to All- No 319

Amended
Amendment
No 319 —
Relative to
Taxation —

Oct 23. of 8
Read & referred
to Com on Revenue
& Taxation
Thorton
Ass Rec

Beerscheer

Reported back with Sub-
stitute Amended No 570
Nov. 18, 78 Wright, Asst. Secy

Amended Amendment No 319

Amended
Amendment introduced by Mr
Beerstecher.
October 23^d 1878

LIQUOR. TRAFFIC TAXATION.

SEC —. The business of manufacturing and selling intoxicating liquors of every name and nature shall be subject to legislative regulation, by general laws having effect throughout the State, but this shall not be construed as giving to any Legislature the authority to enact prohibition laws.

or delegate the power to enact
prohibition laws to any political
division of this State. The
Legislature shall provide for
an annual tax to be imposed
upon intoxicating liquors, to
be paid by every person, co-
partnership, company, and
corporation, who shall carry
on or be engaged in man-
ufacturing, selling or disposing
of such liquors

otherwise than for medicinal, chemical, or mechanical pur-
poses, for each place where such business is carried on by such person.

Partnership, company, ~~or~~ or
Corporation

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Said tax shall be paid into the treasury of the county, city, village, or township where such business is carried on, and appropriated as the Legislature shall by general law provide. The sale or other disposition of such liquors to minors, persons under guardianship, insane and idiotic persons, paupers, and common drunkards is wholly prohibited. Every person who shall carry on or engage in the business of traffic taxed as aforesaid in this section, without having first paid the tax imposed, or otherwise violate any provision of this section, shall be guilty of a misdemeanor, and, on conviction, be punished by fine or imprisonment, or both, as may be prescribed by law, and every sale, until the tax is paid, shall subject the party to such penalty; and all necessary laws shall be passed to enforce the provisions of this section.

Beentecher

320
Amendment 320

Proposed Amendment
relating to labels

Oct. 15 -
Referred to Com-
mittee on Legis-
lation Districts -
Geo. A. Sproull
Cpt. Seay

Nov 11. 1888
Reported back with
Substitute Am 3201
Thomson
Asst Secy

Geo. E. Murphy
Secy

Proposed amendment to Article One
Section nine of the Constitution in
relation to libels -

Sec 9.

Every citizen may freely speak, write and
publish his sentiments on all subjects
being responsible for the abuse of that right,
and no law shall be passed to restrain
or abridge the liberty of speech or of the press.
In all criminal prosecutions on indictments
for libels, the trial of the case shall take
place in the county in which the alleged
libel was ~~committed~~ ^{first} and published, unless
the venue to another county shall be
ordered by due process of law. The truth
may be given in evidence to the jury, and
if it shall appear to the jury that the
[matter changed] as libelous is true and was published
with good motives and for justifiable
ends the party shall be acquitted, and
the jury shall have the right to determine
the law and the fact -

Submitted by

Jas E. Murphy

Del. North

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Amendment 321

O'Donnell

Com. on Behalf

Report to Committee
on Behalf

Geo. A. Thompson
Asst. Secy.

Oct 31, 48

Reported back with
Substitute Am. No. 454

Thompson
Asst. Secy



D.C.

Each County, town, city and incorporated village shall make provision for the support of its own officers, subject to such restrictions and regulations as the Legislature may prescribe and every city, town and village shall have power to adopt such police regulations for the exclusion and removal of persons of ~~Chinese~~ Asiatic descent as the public good may require.

By ³²²

Chaussfield
Amendment 322

Oct. 15 -
Refers to Committee
on Legislative Definit
Geo. A. Thurlow
apt. 2c

Propositions to
Modify the Grand
Jury system -

Nov 11. 18
Referred back with
Substitute Am to 301

Thurlow
Asst Secy

Chaussfield

Propositions to modify the present grand jury system - by Mr. Mansfield - Los Angeles

1. Prosecutions for crimes and misdemeanors may be begun by indictment found by a grand jury or by information laid before a Justice of the Peace.

2. The grand jury shall consist of fifteen men, and an indictment may be found upon the concurrence of nine of their number.

3. The grand jury shall be ordered by the County Judge, at his discretion, but not oftener than once in each year.

4. An information is a writing verified by a person called a prosecutor charging another with the commission of a crime or misdemeanor, and setting forth the facts necessary to constitute the offense.

5. Such information may be presented to a Justice of the Peace, and when such Justice has not jurisdiction to try the offense charged, there shall be had a preliminary examination, in which defendant shall have right to be heard by himself and counsel.

6. Should it appear that the offense charged has been committed, and the Justice be satisfied of defendant's guilt he shall adjudge and bind the defendant to appear before the court having jurisdiction of the offense.

7. Upon this information and the judgment of the Justice thereon being filed in the court having jurisdiction, the District Attorney shall file in such court a complaint signed by him, officially, charging the defendant with the offense for which he is held to answer. This complaint shall state the facts necessary to constitute a cause of action.

8. Upon such complaint the defendant may be tried.

9. After the defendant has been bound to appear and within ten days thereafter, or at any time prior to filing the complaint, he shall have the right to be heard on a writ of habeas corpus before a Judge of a court of record, and if such judge shall find, on reviewing the evidence taken at the preliminary examination, that the defendant has been held without reasonable or probable cause, he shall order the defendant discharged and the District Attorney shall not further prosecute the proceeding.

10. Should the information be dismissed by the justice after a hearing on a preliminary examination, or the defendant be so discharged on habeas corpus, no second information shall be prosecuted against the defendant on the same charge, unless the second information be approved and signed by the District Attorney of some court having jurisdiction to try the case.

11. A person may be prosecuted by indictment for any offense of which the District or County Court has jurisdiction, although the information has been dismissed by a justice or the defendant discharged on habeas corpus.

LEX.

Albert Mansfield

323

Amendment-323

Oct.

Referred to Com-
mittee on Finance
Amendment of
Spec. A. Thornton
Apr. Day

White

Order and
read in committee
Oct 21st 1878.

Dec 21. 78

Referred back with
substitute Am to 326

Thornton
Asst Recy

White

In Relation To Future Amendments

Sec 1

There ~~shall~~^{shall} be a Constitutional Convention at the State Capital in the year one thousand nine hundred and three (1903) to review and if deemed best, amend this Constitution -

Sec 2

The Convention shall consist of one hundred and three members all to be elected by single districts, as near equal in population as may be.

Sec 3

Each member of the Convention shall receive six hundred dollars, and they shall receive mileage as may be then paid to members of the Legislature, which shall be in full compensation for services.

Sec 4

The Legislature shall at the proper time carry out this provision of this Constitution by appropriate legislation and provide by law that the new or amended Constitution shall be submitted to the electors of the State for their approval or rejection.

SEC. 19.5 Whenever two-thirds of the members elected to each branch of the Legislature shall think it necessary to alter or amend this Constitution, they may propose such alterations or amendments, which proposed amendments shall be published with the laws which have been passed at the same session; and said amendments shall be submitted to the people for their approval or rejection, at the next general election: and if it shall appear, in a manner to be provided by law, that a majority of the qualified electors present and voting at such election shall have ratified such alterations or amendments, the same shall be valid to all intents and purposes as a part of this Constitution. If two or more alterations or amendments shall be submitted at the same time, it shall be so regulated that the electors shall vote for or against each separately.

324
Concerning the
Executive Department
Amendment 324

Resolution

Oct. 15

Report to Com-
mittee on Executive
Department
Spec. Thornton
Opt. Secy

Nov 2. 18

Reported back with
substituted Am No
468.

Thornton
As Secy

Schell

Relating to the Executive Department

Resolved:

That the following
Amendment to Sec. 14, Article
V. of the Constitution be in-
corporated in the New Constitution:

Sec. — There shall be a Seal
of the State, to be called, "The
Great Seal of the State of California,"
which shall be kept and
used by the Governor officially;
and the one heretofore in
use shall continue to be the
great Seal of the State.

Schell

Amendment 325-

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Oct. 15

Report to Com-
mitter on Resum-
ption of
Geo. A. Thomas
Asst. Secy

J. H. Donnell
Do the Com. see
and J. H. Donnell

Nov. 18, 1878.
Reported back
with substitute
amendment No. 510.
Jill. Wright,
Asst. Secretary
Donnell

1 Sec 17 of article first of the Constitution
 2 is amended as follows

3 Sec 14

4 Foreigners of (Caucasian descent) who
 5 are or who may hereafter become
 6 bona fide residents of this State,
 7 shall enjoy the same right in respect
 8 to the possessions enjoyment and inheritance
 9 of property as native born citizens

10
 11 Sec 2

12 The Legislature shall by appropriate
 13 enactments discourage the importation
 14 of Chinese coolies into the State of
 15 California

16
 17
 18 Sec 14 of article XI of the Constitution
 19 is amended as follows

20 Taxation of all property except articles
 21 of Chinese manufacture shall be equal
 22 and uniform throughout the State, all
 23 real and personal property, except property
 24 owned by Mongolian, shall be taxed in
 25 proportion to its value, to be ascertained as
 26 directed by law

27 Sec 15 No poll tax shall be levied or
 28 collected from the citizen of the State but
 the Legislature shall have power to provide
 for the collection of such tax from aliens & laws

326

Amendment 326

Oct. 15-

Referred to Committee
Legislation on Repeal
Spec. A. Thorsen
Capt. Day

Importation of Cookies,

Criminals, Paupers, Lepers,

and Immoral Women

Prohibited.

Nov 11. 18
Repealed back with
Substitute Am to 501
Thornton
Capt Day

O'Sullivan

Importation of Coolies Prohibited.

Sec. — Importations of persons under the name of "coolies," or any other designation, or the adoption of any other system of peonage, whereby the helpless and unfortunate may be reduced to practical bondage, shall never be authorized or tolerated by the laws of this State.

Sec. — Persons engaging in the importation of "coolies," or men or women bound by contract to labor or service for a specified time, shall be deemed guilty of felony; and persons employing such "coolies," by contract, to labor for a specified time in this State, shall also be deemed guilty of felony.

Sec. — Every contract whereby the compensation for the labor of any person is made payable to any person, company, or corporation, other than the one performing the labor, is hereby declared void; provided, that it shall be lawful for parents to secure for themselves and receive the wages of their minor children.

Sec. — The importation of criminals, paupers, lepers, and immoral women, from foreign countries, is forever prohibited. And any ship, the captain and owners of any ship, and the consignees of the same, shall be held responsible for an infraction of this provision, and must transport back to the port whence they were brought said foreign criminals, paupers, lepers, and immoral women.

Sec. — The Legislature, at the first session after the adoption of this Constitution, shall provide, by suitable enactments, for the effectual enforcement of the provisions of sections —, —, —, and —.

O'Sullivan

327

Leg. District
Amendment 327

Prohibiting the Employ-
-ment of Chaplains in
State Institutions.

Oct. 15
Referred to Committee
Legislative District
Geo. A. Thonbor
apl. Secy.

Nov 11. 78
Reported back with
Substitute Am No 501
Thonbor
and Key

O'Sullivan.

Prohibiting the Employment of Chaplains
in State Institutions.

Section — No person shall ever be employed as a chaplain in any department of the State Government, or in any of the public institutions of this State. And no money shall ever be appropriated out of the State Treasury for the payment of persons to recite prayers or to give religious teaching of any character.

O'Sullivan

Amendment 328
Proposition to
Amend the
Constitution
relating to the
Legislative
Department

Sept. 15
Referred to Committee
on Legislative Dept.
Spec. At Toronto
Sept 22

Nov 11. 48
Reported back with
Substitute Am. to 501

Thomson
Asst Secy

Obey

Proposition to Amend the
Constitution as follows.

by Edward Coy

All bills making appropriations
of money out of the Treasury for
the pay of members and officers
of the General Assembly, and for
the salaries of the officers of the
Government shall contain no provision
on any other subject.

The Compensation of the members
of the General Assembly shall be
five hundred dollars each per
session, except extra session and
for them, they shall each be allowed
one hundred ^{dollars} and ten cents a mile
in going to and returning from the
seat of Government.